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8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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11 VNUS MEDICAL TECHNOLOGIES, INC.

No. C-05-2972 MMC

12 Plaintiff

13 v.

14 DIOMED HOLDINGS, INC., et al.,

15 Defendants

16 / **ORDER GRANTING IN PART AND  
DENYING IN PART DEFERRED  
PORTION OF PLAINTIFF'S MOTION  
FOR ADMINISTRATIVE RELIEF TO FILE  
UNDER SEAL DOCUMENTS  
SUBMITTED IN SUPPORT OF  
PLAINTIFF'S MOTION FOR SUMMARY  
JUDGMENT; DIRECTIONS TO  
PLAINTIFF**

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18 Before the Court is the deferred portion of plaintiff VNUS Medical Technologies,  
19 Inc.'s motion for administrative relief to file documents under seal, filed August 10, 2007,  
20 specifically, plaintiff's request to file under seal Exhibits 39, 42, and 45 to the Declaration of  
21 Suong T. Nguyen in Support of VNUS Medical Technologies, Inc.'s Motion for Summary  
22 Judgment. Having reviewed defendants' submissions in response to plaintiff's motion for  
23 administrative relief, the Court rules as follows:

24 1. With respect to Exhibit 39, the motion is DENIED for the reason defendant  
25 AngioDynamics, Inc. has withdrawn its prior designation of confidentiality.

26 2. With respect to Exhibit 42, the motion is GRANTED to the extent plaintiff seeks to  
27 file the following portions under seal: lines 4 to 22 on page 28, lines 13 to 25 on page 62,  
28 and lines 1 to 8 on page 63. In all other respects, the motion is DENIED for the reason

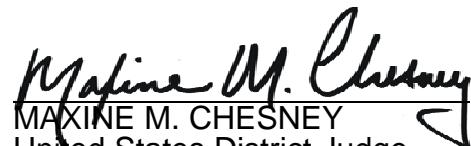
1 defendants Diomed Holdings, Inc., and Diomed, Inc. (collectively, "Diomed") do not contend  
2 any other portion of Exhibit 42 is confidential.

3       3. With respect to Exhibit 45, the motion is DENIED for the reason Diomed has  
4 failed to identify any portion of said exhibit that is properly sealable.

5       4. If plaintiff wishes the Court to consider Exhibits 39 and 45, plaintiff is hereby  
6 DIRECTED to file such exhibits in the public record, no later than September 12, 2007. If  
7 plaintiff wishes the Court to consider the portions of Exhibit 42 that are not confidential,  
8 plaintiff is DIRECTED to file a redacted version of Exhibit 42, no later than September 12,  
9 2007.

10       **IT IS SO ORDERED.**

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12 Dated: September 6, 2007

  
MAXINE M. CHESNEY  
United States District Judge

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